

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA §
§
V. § **CASE NO. 1:11-CR-125**
§
MICHAEL HAYES §

ORDER ADOPTING ON PLEA OF TRUE

The Court referred this matter to United States Magistrate Judge Keith F. Giblin, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636(b) and the Local Rules for the United States District Court for the Eastern District of Texas. In accordance with 18 U.S.C. § 3401(i) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation on the revocation of the defendant's supervised release.

Having conducted the proceedings in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and 18 U.S.C. § 3583, the magistrate judge issued his Findings of Fact and Recommendation on Plea of True [Doc. #48]. The magistrate judge recommended that the Court revoke the defendant's supervised release and impose a term of imprisonment for the revocation with no additional term of supervision to follow. The defendant also consented to the revocation of his supervised release and waived his right to be present and speak at sentencing [Doc. #47]. That waiver indicates that the parties agreed to a sentence of five months plus 65 days imprisonment, with no further supervised release. The 65 days is imposed for unserved community confinement time.

After review, the Court concludes that the Findings of Fact and Recommendation and the agreed sentence should be accepted. It is **ORDERED** that the Findings of Fact and Recommendation on Plea of True [Doc. #48] are **ADOPTED**. The Court finds that Defendant, Michael Hayes, violated conditions of his supervised release. The Court accordingly **ORDERS** that the Defendant's term of supervision is **REVOKED**. Pursuant to the parties' agreed sentence, the Court **ORDERS** Defendant to serve a term of five (5) months plus 65 days imprisonment for the revocation. No further supervision is ordered.

So Ordered and Signed

Nov 17, 2016



Ron Clark, United States District Judge